IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 4739-M of 2007

DATE OF DECISION : 01.03.2007

Harbans Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

Petitioner Harbans Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 191 dated 18.7.2006 under Section 304-B/34 IPC, registered at Police Station City Faridkot, District Faridkot.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 20.11.2006, passed by Additional Sessions Judge, Faridkot, whereby bail application of the petitioner has been dismissed.

In this case, it has been alleged that just before the alleged occurrence, the petitioner, who is father-in-law of the deceased and is in custody since 26.7.2006, along with other co-accused demanded an amount of Rs. 50,000/- for house repair.

Counsel for the petitioner contends that initially, the husband of the deceased was not challaned, but subsequently, on the statement of the complainant, he has also been summoned under Section 319 Cr.P.C. to face trial. Counsel further contends that the husband has been granted anticipatory bail and the wife of brother-in-law (Jethani) and mother-in-law

of the deceased are in custody. He further contends that in view of the fact that the husband has been summoned under Section 319 Cr.P.C., the two witnesses, already examined by the prosecution, have to be examined again and the trial is not likely to conclude soon.

Keeping in view the aforesaid facts as well as the nature of allegations, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

March 01, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**